



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT FARRELL,

Defendant.

CASE NO. MJ 13-02266-DUTY

ORDER OF DETENTION
AFTER HEARING

(18 U.S.C. § 3142(i))

I.

A. () On motion of the Government in a case allegedly involving:

1. () a crime of violence;
2. () an offense with a maximum sentence of life imprisonment or death;
3. () a narcotics or controlled substance offense with a maximum sentence of ten or more years;
4. () any felony - where the defendant has been convicted of two or more prior offenses described above;
5. () any felony that is not otherwise a crime of violence that involves a minor victim, or possession or use of a firearm or destructive device or any other dangerous weapon, or a failure to register under 18 U.S.C. § 2250.

1 B. (X) On motion by the Government / () on Court's own motion, in a case allegedly
2 involving:

3 1. (X) a serious risk that the defendant will flee;

4 2. () a serious risk that the defendant will:

5 a. () obstruct or attempt to obstruct justice;

6 b. () threaten, injure, or intimidate a prospective witness or juror or attempt to
7 do so.

8 C. The Government () is/ () is not entitled to a rebuttable presumption that no
9 condition or combination of conditions will reasonably assure the defendant's
10 appearance as required and the safety of any person or the community.

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12 II.

13 A. (X) The Court finds that no condition or combination of conditions will reasonably
14 assure:

15 1. (X) the appearance of the defendant as required.

16 () and/or

17 2. () the safety of any person or the community.

18 B. () The Court finds that the defendant has not rebutted by sufficient evidence to
19 the contrary the presumption provided by statute.

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21 III.

22 The Court has considered:

23 A. the nature and circumstances of the offense(s) charged;

24 B. the weight of evidence against the defendant;

25 C. the history and characteristics of the defendant; and

26 D. the nature and seriousness of the danger to any person or to the community.
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IV.

The Court also has considered all the evidence adduced at the hearing and the arguments and/or statements of counsel, and the Pretrial Services Report and recommendation.

V.

The Court bases the foregoing finding(s) on the following:

- A. (X) The history and characteristics of the defendant indicate a serious risk that he will flee, because the defendant has previously violated the terms set for his supervised release and is now before the Court for allegedly failing to surrender to serve a sentence imposed by the United States District Court of the Eastern District of Wisconsin.
- B. () The defendant poses a risk to the safety of other persons or the community because

VI.

- A. () The Court finds that a serious risk exists that the defendant will:
1. () obstruct or attempt to obstruct justice.
 2. () attempt to/ () threaten, injure or intimidate a witness or juror.

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VII.

A. IT IS THEREFORE ORDERED that the defendant be detained.

B. IT IS FURTHER ORDERED that the defendant be afforded reasonable opportunity for private consultation with counsel.

C. IT IS FURTHER ORDERED that, on order of a Court of the United States or on request of any attorney for the Government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: August 20, 2013

Margaret A. Nagle

MARGARET A. NAGLE
UNITED STATES MAGISTRATE JUDGE